

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**ROBBIE KEETON GEIGER, as Administratrix
of the Estate of Ricky Keith Keeton, Deceased;
DELISHA KEETON MOONEY, and
MEGAN ARCHER**

PLAINTIFFS

V.

CAUSE NO. 1:16cv95-SA-DAS

**MONROE COUNTY, MISSISSIPPI
and ERIC SLOAN**

DEFENDANTS

UNOPPOSED MOTION FOR TRIAL CONTINUANCE DUE TO COVID-19

NOW COME Defendants, Monroe County, Mississippi and Eric Sloan, by and through counsel, and file this, their Unopposed Motion for Trial Continuance Due To COVID-19 and would show the Court the following:

Facts

1. This case was set for trial beginning Monday, August 16, 2021, in Greenville, Mississippi, before the Hon. Debra Brown. [Doc. 171].

2. On August 11, 2021 the Defendants filed their first Unopposed Motion to Continue the trial and all pre-trial deadlines, including the submission of final jury instructions and exhibits, based on the positive COVID test of lead counsel, Arnulfo Luciano, and supporting memorandum thereof. [Docs. 188, 189].

3. On the same day, this Honorable Court, finding that good cause existed to continue the trial and all pre-trial deadlines, granted Defendants' unopposed motion and continued the trial to August 30, 2021, and the deadline to resubmit proposed jury instructions and exhibits to noon on August 17, 2021. [Docs. 191, 192].

4. For the reasons set forth in this Motion and the Memorandum of Authorities being filed contemporaneously herewith, it is respectfully requested that a continuance of the trial be granted because of the following: 1) the current trial date does not allow for ample time for Mr. Luciano to recover from his illness and 2) the current significant up-tick in the Delta variant of COVID-19 and the impact it will likely have on the trial.

5. In addition to a continuance of the trial, the Defendants would also respectfully request a continuance of all pre-trial deadlines, including the submission of final jury instructions, witness lists, and exhibits. Defendants would request an Order from the Court that witness lists, exhibits, and jury instructions be submitted to the Court sometime sufficiently in advance of the new trial date set by the Court in the event the instant Motion is granted.

6. Plaintiffs' counsel has been contacted and are in agreement that this continuance for these specific reasons is in the best interest of this case.

RESPECTFULLY SUBMITTED this the 16th day of August, 2021.

JACKS GRIFFITH LUCIANO, P.A.

By: /s/ Jamie F. Lee
Jamie F. Lee, MS Bar No. 101881
Arnold U. Luciano, MS Bar No. 8366
Bethany A. Tarpley, MS Bar No. 104134
Attorneys for Defendants

Of Counsel:

JACKS GRIFFITH LUCIANO, P.A.
150 North Sharpe Avenue
P. O. Box 1209
Cleveland, MS 38732
Telephone: 662-843-6171
Facsimile: 662-843-6176
Email: jamie@jlpalaw.com
aluciano@jlpalaw.com
btarpley@jlpalaw.com

CERTIFICATE OF SERVICE

I, Jamie F. Lee, attorney of record for Defendants, do hereby certify that I have this day caused a true and correct copy of the above and foregoing *Unopposed Motion for Trial Continuance due to COVID-19* to be delivered by the ECF Filing System which gave notice to the following:

Jim D. Waide, III, Esq.
Rachael Pierce Waide, Esq.
WAIDE & ASSOCIATES, PA
P. O. Box 1357
Tupelo, MS 38802-1357
Telephone: 662-842-7324
Fax: 662-842-8056
Email: waide@waidelaw.com

R. Shane McLaughlin, Esq.
McLAUGHLIN LAW FIRM
P.O. Box 200
Tupelo, MS 38802
Telephone: 662-840-5042
Fax: 662-840-5043
Email: rsm@mclaughlinlawfirm.com

DATED this 16th day of August, 2021.

/s/ ***Jamie F. Lee***
Jamie F. Lee